

FILED

1 Robert F. Brennan, Esq. [S.B. #132449]  
2 Robert A. Wiener, Esq. [S.B. #132847]  
3 **BRENNAN, WIENER & ASSOCIATES**  
3150 Montrose Ave.  
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2012 JUN -6 PM 3:12

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

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BY \_\_\_\_\_

6 Attorney for: Jeffery Howe  
7  
8  
9

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 JEFFERY HOWE, an Individual;

13 Plaintiff,

14 vs.

15 NCO FINANCIAL SYSTEMS, INC., is  
16 a Corporation; DIRECTV, LLC., a  
17 business entity form unknown and  
DOES 1-10, Inclusive,

18 Defendants.  
19  
20  
21  
22

Case No. **CV12-4954-MAN**

**COMPLAINT FOR DAMAGES:**

1. VIOLATIONS OF ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT;
2. VIOLATION OF CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT
3. VIOLATION OF THE FAIR CREDIT REPORTING ACT;
4. VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT.

**JURY TRIAL DEMANDED.**

23  
24 Plaintiff alleges:

25 1. Plaintiff JEFFERY HOWE ("Plaintiff") is a resident of County of Los  
26 Angeles, State of California.  
27  
28

**COMPLAINT FOR DAMAGES**

1           2. NCO FINANCIAL ("NCO") is a financial institution which, among  
2 other activities, acts as a debt collection agency which reports allegedly delinquent  
3 debts to credit bureaus.

4           3. DIRECT TV ("DIRECT TV") is a creditor which, among other activities,  
5 reports allegedly delinquent debts to credit bureaus and is a "furnisher" under the  
6 Fair Credit Reporting Act.

7           4. Defendants DOES 1-10 are individuals and business entities, form  
8 unknown, doing business in the State of California as credit reporting agencies,  
9 debt collection agencies, creditors or other persons or entities which engage in  
10 credit reporting and/or debt collection. DOES 1-10, Inclusive, includes  
11 individuals or business entities doing business in the State of California as credit  
12 reporting agencies, debt collectors and/or creditors who have refused to delete  
13 accounts of Plaintiff that were procured through identity theft, mixed file or other  
14 manner of recording an inaccurate credit account, even after plaintiff has notified  
15 them of the false or inaccurate derogatory, and also who have reported such  
16 accounts as derogatory credit references to credit reporting agencies.

17           5. Plaintiff does not know the true names and capacities, whether corporate,  
18 partnership, associate, individual or otherwise of Defendants sued herein as Does  
19 1 through 10, inclusive, under the provisions of Section 474 of the California  
20 Code of Civil Procedure. Plaintiff is informed and believes and on that basis  
21 alleges that Defendants Does 1 through 10, inclusive, are in some manner  
22 responsible for the acts, occurrences and transactions as officers, directors or  
23 managing agents of Defendants or as its agents, servants, employees and/or joint  
24 venturers and as set forth in this complaint, and that each of them are legally liable  
25 to Plaintiff, as set forth below and herein:

26           a) Said Officers, directors or managing agents of Defendants personally  
27 acted willfully with respect to the matters alleged in this complaint;  
28

1           b) Said officers, directors or managing agents of Defendants personally  
2 authorized, approved of, adopted and/or ratified the acts alleged herein or the  
3 agents, servants, employees and/or joint venturers of Defendants did so act;

4           c) Said officers, directors or managing agents of Defendants personally  
5 participated in the acts alleged herein of Defendants;

6           d) Said Officers, directors or managing agents of Defendants personally had  
7 close supervision of their agents, servants, employees and/or joint venturers of  
8 Defendants;

9           e) Said Officers, directors or managing agents of Defendants personally  
10 were familiar with the facts regarding the matters alleged herein;

11           f) Said Officers, directors or managing agents of Defendants personally  
12 failed to investigate the circumstances appertaining to the acts alleged herein.  
13 They also failed and refused to repudiate the herein alleged actions and failed to  
14 redress the harm done to Plaintiffs. Further, said Officers, directors, or managing  
15 agents of Defendants failed and refused to punish or discharge the said agents,  
16 servants, employees and/or joint venturers of Defendants, even after learning of  
17 the acts of the agents, servants, employees and/or joint venturers of Defendants.  
18 Plaintiffs will seek leave to amend this complaint to set forth the true names and  
19 capacities of said fictitiously named Defendants as enumerated above, together  
20 with appropriate charging allegations, when learned.

21           6. Plaintiff is informed and believes, and thereon alleges that at all relevant  
22 times herein each Defendant, whether actually or fictitiously named, was the  
23 principal, joint venturer, agent, servant or employee of each other Defendant, and  
24 in acting as such within the course, scope and authority of such relationship, took  
25 some part in the acts and omissions hereinafter set forth, by reason of which each  
26 Defendant is liable to Plaintiff for the relief prayed for in this complaint, and any  
27 future amended complaint. Further, Plaintiff alleges that each act alleged herein,  
28

1 whether by a named Defendants or fictitiously named Defendants or otherwise,  
2 was expressly authorized or ratified, as these terms are used in California Civil  
3 Code Section 3294(b), by each and every other Defendant herein, whether named  
4 or fictitiously named.

5  
6 **COMMON FACTUAL ALLEGATIONS**

7 7. On or about 2004 Plaintiff established service with DIRECT TV. On or  
8 about 2008 or 2009, Plaintiff cancelled the DIRECT TV service due to poor  
9 service and accounting. Plaintiff was sent a pre-paid box to return the decoder box  
10 which he did immediately.

11 8. On or about January 25, 2009, Plaintiff received a billing statement  
12 indicating an adjustment to Plaintiff of \$141.33. Plaintiff did not owe DIRECT TV  
13 any monies.

14 9. On or about February, 2010, Plaintiff discovered that NCO was appearing  
15 on his personal credit report for a debt from DIRECT TV.

16 10. On or about February 8, 2010, Plaintiff sent correspondence to Experian  
17 and to Equifax disputing the NCO collection account.

18 11. On or about April 2010 Experian responded to Plaintiff's dispute that  
19 the NCO account was deleted.

20 12. On or about November 19, 2010, Equifax responded to Plaintiff that the  
21 NCO account was "currently not reporting".

22 13. On or about April 2012, Plaintiff discovered that the NCO account was  
23 once again appearing on his credit report.

24 14. Plaintiff has sent many demands for investigation but Defendant NCO,  
25 DIRECT TV and DOES 1-10 have refused, despite Plaintiff's telephone calls and  
26 written requests stating that he is not responsible for the DIRECT TV account and  
27 to cease collection activity. Despite several telephone calls and letters NCO,  
28

1 DIRECT TV and DOES 1-10 have continued to maintain that Plaintiff was  
2 responsible and delinquent. On information and belief, NCO, DIRECT TV and  
3 DOES 1-10, Inclusive, have also threatened, or accomplished, false credit  
4 reporting of this account onto plaintiff's personal credit reports.

5  
6 **FIRST CAUSE OF ACTION**

7 **[VIOLATION OF FEDERAL FAIR DEBT COLLECTION**  
8 **PRACTICES ACT AGAINST NCO AND DOES 1-10, INCLUSIVE]**

9 15. Plaintiff incorporates all preceding paragraphs as though alleged in full  
10 in this cause of action.

11 16. As previously alleged, defendant NCO is a "debt collector" within the  
12 meaning of the federal Fair Debt Collection Practices Act, 15 U.S.C. Section 1692  
13 et seq. NCO and DOES 1-10, Inclusive, all engaged in conduct proscribed by 15  
14 U.S.C. Section 1692e (8), namely, "Communicating or threatening to  
15 communicate to any person credit information which is known or which should be  
16 known to be false, including the failure to communicate that a disputed debt is  
17 disputed." Plaintiff reserves the right to allege other violations of the FDCPA as  
18 the facts of the case unfold.

19 18. Plaintiff alleges that NCO and DOES 1-10, Inclusive, violated other  
20 provisions of the federal Fair Debt Collection Practices Act, as follows:

21 a. 15 U.S.C. Section 1692d: NCO and DOES 1-10, Inclusive,  
22 engaged in debt collection efforts after they knew, and had determined, that it had  
23 no basis for continuing to charge Plaintiff for DIRECT TV accounts. This had the  
24 natural consequence of harassing, abusing and oppressing Plaintiff.

25 b. 15 U.S.C. Section 1692e: NCO and DOES 1-10, Inclusive, have  
26 threatened action, or taken action, including threats of credit reporting, threats of  
27  
28

1 lawsuits and implicit or explicit threats of derogatory credit reporting, that cannot  
2 legally be taken because the debt is not Mr. Howe's debt.

3 c. 15 U.S.C. Section 1692f: NCO and DOES 1-10, inclusive, have  
4 each used unfair or unconscionable means to collect or attempt to collect the  
5 alleged debt. Specifically, each has attempted to collect amounts not expressly  
6 authorized by law or by agreement, and have continued to attempt collection in  
7 spite of cancelation of the underlying agreement. In essence, there is no  
8 agreement and no obligation by which Mr. Howe owes money to NCO or DIRECT  
9 TV, yet NCO persists in its collection efforts.

10 19. As a result of these violations of the federal Fair Debt Collection  
11 Practices Act by NCO and DOES 1-10, Inclusive, Plaintiff has suffered general  
12 and special damages according to proof, and is entitled to a statutory penalty for  
13 each separate violation of Act. In addition, Plaintiff is entitled to attorney's fees,  
14 costs and expenses.

15 **SECOND CAUSE OF ACTION**

16 **[VIOLATION OF THE CALIFORNIA CONSUMER CREDIT REPORTING**  
17 **AGENCIES ACT AGAINST ALL DEFENDANTS]**

18 20. Plaintiff incorporates all preceding paragraphs as though alleged in full  
19 in this cause of action.

20 21. Within two years prior to the filing of the complaint in this action,  
21 defendants NCO, DIRECT TV and DOES 1-10, Inclusive, both willfully and  
22 negligently violated the California Consumer Credit Reporting Agencies Act in at  
23 least the following ways:

24 a. By willfully and negligently failing, in the furnishing of derogatory credit  
25 information for the consumer report concerning Plaintiff, to follow reasonable  
26 procedures to assure maximum possible accuracy of the information in the report;

27 b. By willfully and negligently furnishing to credit reporting agencies  
28

1 information about the Plaintiff which Defendants NCO, DIRECT TV and DOES  
2 1-10, Inclusive knew, or should have known, was incomplete, inaccurate and/or  
3 unverifiable;

4 c. By willfully and negligently failing to correct and/or delete the  
5 incomplete and inaccurate information in Plaintiff's file after conducting an  
6 investigation;

7 d. By willfully and negligently failing to conduct an adequate investigation  
8 of Plaintiff's complaints, and by willfully and negligently failing to implement  
9 corrective actions once the outcome of such investigations were known, or should  
10 have been known, to the Defendants NCO, DIRECT TV and DOES 1-10,  
11 Inclusive; and,

12 e. By willfully and negligently failing to have proper procedures and  
13 apparatus in place which would promptly and accurately delete or correct any  
14 incorrect, incomplete or inaccurate credit reporting.

15 22. Each of the Defendants NCO, DIRECT TV and DOES 1-10, Inclusive  
16 willfully and negligently failed in their obligations to reinvestigate and correct the  
17 derogatory marks in Plaintiff's credit reports. Plaintiff alleges that each of the  
18 Defendants NCO, DIRECT TV and DOES 1-10, Inclusive' policies and practices  
19 hinder and obstruct adequate and meaningful reinvestigations, and that each  
20 defendant knows of this effect of its policies and practices.

21 23. As a proximate result of the willful and negligent actions of the  
22 Defendants NCO, DIRECT TV and DOES 1-10, Inclusive, and each of them,  
23 Plaintiff has suffered both general and special damages in an amount which will  
24 be proven at time of trial. As provided under the cited laws, Plaintiff is entitled to  
25 actual damages, loss of wages, damage to credit reputation, pain and suffering,  
26 costs and attorney fees. Plaintiff is also entitled to punitive damages and statutory  
27 penalties for willful violations of the California Consumer Credit Reporting  
28



1 Agencies Act.

2 **THIRD CAUSE OF ACTION**  
3 **[VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
4 **AGAINST ALL DEFENDANTS]**

5 24. Plaintiff re-alleges and incorporates all preceding paragraphs as though  
6 set forth in full in this cause of action.

7 25. Plaintiff is a consumer as this term is defined by 15 U.S.C. Sec.  
8 1681a(c) of the Fair Credit Reporting Act. All defendants are "furnishers" as  
9 defined by 15 U.S.C. 1681s-2 of the Fair Credit Reporting Act.

10 26. On or about 2008, Plaintiff cancelled his service with DIRECT TV.

11 27. On or about February 2010, Plaintiff discovered that NCO was reporting  
12 for DIRECT TV on his credit profile causing him to immediately dispute the  
13 validity of the collection action. A few months later he discovered that the  
14 collection activity was removed.

15 28. On or about April 2012, Plaintiff discovered that the NCO collection  
16 activity was again appearing on his credit profile.

17 29. Plaintiff complied with all requests of each of the Defendants to  
18 provide information in order to have the erroneous marks removed from his credit  
19 reports. Despite the insistence of Plaintiff, the Defendants, and each of them,  
20 failed to correct the errors and failed to undertake sufficient investigations upon  
21 being notified of the errors.

22 30. Within the past five years, Defendants, and each of them, willfully  
23 violated the provisions of the Fair Credit Reporting Act in *at least* the following  
24 respects:

25 a. By willfully and negligently failing, in the preparation of the consumer  
26 report concerning Plaintiff, to follow reasonable procedures to assure maximum  
27 possible accuracy of the information in the report;  
28



1 b. By willfully and negligently failing to correct, after receiving ample  
2 notice, information about the plaintiff which defendants knew, or should have  
3 known, was incomplete and/or inaccurate;

4 c. By willfully and negligently failing to correct and/or delete the  
5 incomplete and inaccurate information in Plaintiff's file after conducting an  
6 investigation;

7 d. By willfully and negligently failing to conduct an adequate investigation  
8 of plaintiff's complaints, and by willfully and negligently failing to implement  
9 corrective actions once the outcome of such investigations were known, or should  
10 have been known, to the defendants;

11 e. By willfully and negligently failing to provide subsequent users of the  
12 report with the Plaintiff's statement of dispute or a summary thereof;

13 f. By willfully and negligently failing to provide notice to plaintiff of the  
14 furnishing of negative credit information to credit reporting agencies, and,

15 g. By willfully and negligently failing to provide such information to the  
16 credit bureaus indicating the full nature, reasons and extent of plaintiff's dispute,  
17 and thus causing the credit report to the credit bureaus to be inaccurate and  
18 incomplete.

19 31. As a proximate result of the actions of the Defendants, and each of  
20 them, Plaintiff has been damaged in an amount which will be proven at time of  
21 trial. As provided under the cited law, plaintiff is entitled to actual damages, loss  
22 of wages, pain and suffering, punitive damages, penalties, costs and attorney fees.

23 32. Plaintiff alleges that defendants, and each of them, have willfully  
24 violated FCRA with respect to plaintiff and towards others similarly situated.  
25 Specifically, defendants deliberately have inefficient procedures for correcting  
26 their credit files, because they know that a certain number of consumers will either  
27 be intimidated or too frustrated to continuously fight back against the constant  
28

1 onslaught of collection activities for invalid debts. Defendants, and each of them,  
2 know that a certain number of consumers would rather pay than fight, even if the  
3 debt is not actually owed. These defendants know that their systems intimidate  
4 consumers so they'll pay debts even if not valid or not completely valid. These  
5 facts were not disclosed to the plaintiff and are not disclosed to the borrowing  
6 public at large.

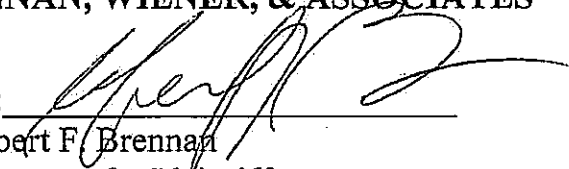
7  
8 WHEREFORE, Plaintiff prays for judgment as follows:

- 9 1. For actual, general and special damages according to proof at trial;  
10 2. For statutory penalties or civil penalties for each separate statutory  
11 violation where allowed by statute;  
12 3. For punitive damages against defendants according to proof at trial and  
13 using the applicable punitive damages standards from the involved statutes;  
14 4. For attorney's fees where authorized by statute or law;  
15 5. For costs and expenses of suit; and  
16 6. For such other relief as the court deems just and proper.

17 **PLAINTIFF DEMANDS A JURY TRIAL.**

18  
19 Dated: June 7 2012

**BRENNAN, WIENER, & ASSOCIATES**

20  
21 By:   
22 Robert F. Brennan  
23 Attorneys for Plaintiff  
24  
25  
26  
27  
28

Robert F. Brennan SBN 132449  
 BRENNAN, WIENER & ASSOCIATES AP.C.  
 3150 Montrose Ave.  
 La Crescenta CA 91214  
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UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

JEFFERY HOWE, an Individual;

CASE NUMBER

PLAINTIFF(S)

CV12-4954-MAN

v.

NCO FINANCIAL SYSTEMS, INC., is a Corporation;  
 DIRECTV, LLC., a business entity form unknown and  
 DOES 1-10, Inclusive,

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Robert F. Brennan, whose address is 3150 Montrose Ave. La Crescenta CA 91214. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: JUN - 6 2012

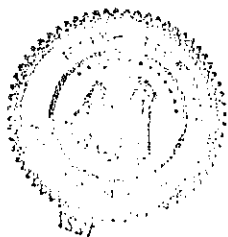
By:

MAR

Deputy Clerk

(Seal of the Court) 1221

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> JEFFERY HOWE, an Individual;	<b>DEFENDANTS</b> NCO FINANCIAL SYSTEMS, INC., is a Corporation; DIRECTV, LLC., a business entity form unknown and DOES 1-10, Inclusive,
<b>(b) County of Residence of First Listed Plaintiff</b> (Except in U.S. Plaintiff Cases): Los Angeles County	<b>County of Residence of First Listed Defendant</b> (In U.S. Plaintiff Cases Only): Los Angeles, California
<b>(c) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Robert F. Brennan, Esq. SBN 132449 BRENNAN, WIENER & ASSOCIATES 3150 Montrose Ave. La Crescenta, CA 91214 Telephone 818-249-5291	<b>Attorneys</b> (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF   DEF</td> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF   DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1   <input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4   <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2   <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5   <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3   <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6   <input type="checkbox"/> 6</td> </tr> </table>		PTF   DEF		PTF   DEF	Citizen of This State	<input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
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Citizen of This State	<input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4 <input type="checkbox"/> 4														
Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5														
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6														

<b>IV. ORIGIN</b> (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
--

<b>V. REQUESTED IN COMPLAINT: JURY DEMAND:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.) <b>CLASS ACTION</b> under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>MONEY DEMANDED IN COMPLAINT:</b> \$ 300,000
--

<b>VI. CAUSE OF ACTION</b> (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) Fair Credit Reporting Act 15 U.S.C. Sec. 1681
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<b>VII. NATURE OF SUIT</b> (Place an X in one box only.)					
<b>400</b> State Reapportionment <b>410</b> Antitrust <b>430</b> Banks and Banking <b>450</b> Commerce/ICC Rates/etc. <b>460</b> Deportation <b>470</b> Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> <b>480</b> Consumer Credit <b>490</b> Cable/Sat TV <b>810</b> Selective Service <b>850</b> Securities/Commodities /Exchange <b>875</b> Customer Challenge 12 USC 3410 <b>890</b> Other Statutory Actions <b>891</b> Agricultural Act <b>892</b> Economic Stabilization Act <b>893</b> Environmental Matters <b>894</b> Energy Allocation Act <b>895</b> Freedom of Info. Act <b>900</b> Appeal of Fee Determination Under Equal Access to Justice <b>950</b> Constitutionality of State Statutes	<b>110</b> Insurance <b>120</b> Marine <b>130</b> Miller Act <b>140</b> Negotiable Instrument <b>150</b> Recovery of Overpayment & Enforcement of Judgment <b>151</b> Medicare Act <b>152</b> Recovery of Defaulted Student Loan (Excl. Veterans) <b>153</b> Recovery of Overpayment of Veteran's Benefits <b>160</b> Stockholders' Suits <b>190</b> Other Contract <b>195</b> Contract Product Liability <b>196</b> Franchise <b>210</b> Land Condemnation <b>220</b> Foreclosure <b>230</b> Rent Lease & Ejectment <b>240</b> Torts to Land <b>245</b> Tort Product Liability <b>290</b> All Other Real Property	<b>PERSONAL INJURY</b> <b>310</b> Airplane <b>315</b> Airplane Product Liability <b>320</b> Assault, Libel & Slander <b>330</b> Fed. Employers' Liability <b>340</b> Marine <b>345</b> Marine Product Liability <b>350</b> Motor Vehicle <b>355</b> Motor Vehicle Product Liability <b>360</b> Other Personal Injury <b>362</b> Personal Injury-Med Malpractice <b>365</b> Personal Injury-Product Liability <b>368</b> Asbestos Personal Injury Product Liability	<b>PERSONAL PROPERTY</b> <b>370</b> Other Fraud <b>371</b> Truth in Lending <b>380</b> Other Personal Property Damage <b>385</b> Property Damage Product Liability <b>BANKRUPTCY</b> <b>422</b> Appeal 28 USC 158 <b>423</b> Withdrawal 28 USC 157 <b>441</b> Voting <b>442</b> Employment <b>443</b> Housing/Accommodations <b>444</b> Welfare <b>445</b> American with Disabilities - Employment <b>446</b> American with Disabilities - Other <b>440</b> Other Civil Rights	<b>PERSONAL PETITIONS</b> <b>510</b> Motions to Vacate Sentence Habeas Corpus <b>530</b> General <b>535</b> Death Penalty <b>540</b> Mandamus/Other <b>550</b> Civil Rights <b>555</b> Prison Condition <b>PROFESSIONAL FEES</b> <b>610</b> Agriculture <b>620</b> Other Food & Drug <b>625</b> Drug Related Seizure of Property 21 USC 881 <b>630</b> Liquor Laws <b>640</b> R.R. & Truck <b>650</b> Airline Regs <b>660</b> Occupational Safety /Health <b>690</b> Other	<b>710</b> Fair Labor Standards Act <b>720</b> Labor/Mgmt. Relations <b>730</b> Labor/Mgmt. Reporting & Disclosure Act <b>740</b> Railway Labor Act <b>790</b> Other Labor Litigation <b>791</b> Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <b>820</b> Copyrights <b>830</b> Patent <b>840</b> Trademark <b>ASSOCIATE SECURITY</b> <b>861</b> HIA (1395ff) <b>862</b> Black Lung (923) <b>863</b> DIWC/DIWW (405(g)) <b>864</b> SSID Title XVI <b>865</b> RSI (405(g)) <b>FEDERAL TAX SUITS</b> <b>870</b> Taxes (U.S. Plaintiff or Defendant) <b>871</b> IRS-Third Party 26 USC 7609

**VIII(a). IDENTICAL CASES:** Has this action been previously filed and dismissed, remanded or closed? ☒ No   ☐ Yes

If yes, list case number(s):

**FOR OFFICE USE ONLY:** Case Number:

CV12-4954

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**VIII(b). RELATED CASES:** Have any cases been previously filed that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

- ☐ Check here if the U.S. government, its agencies or employees is a named plaintiff.  
 Los Angeles, California

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

- ☐ Check here if the U.S. government, its agencies or employees is a named defendant.  
 DirecTV, Inc: California  
 NCO Financial Systems: Pennsylvania

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

- Note: In land condemnation cases, use the location of the tract of land involved.  
 Los Angeles County

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** \_\_\_\_\_

Date June 5, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))